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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,403	05/22/2000	Jeremy P. Chaney	109905-137512	1910

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REALNETWORKS, INC.
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SEATTLE, WA 98121

EXAMINER

PHAM, KHANH B

ART UNIT	PAPER NUMBER
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2166

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/575,403

Applicant(s)

CHANEY ET AL.

Examiner

Khanh B. Pham

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2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 79-102 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 79-102 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/1/06.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.
2. Applicant's submission filed on 5/1/2006 has been entered. Claims 63-78 have been canceled. Claims 79-102 have been added. Claims 79-102 are pending in this Office Action.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. **Claims 79-97, 99-102** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 - **Claim 79** recite the notation "n", wherein "n is an integer". It is noted that an integer could be negative number, zero, or positive number. In the case when n is negative or zero, the scope of the claim is indefinite.

- **Claims 79, 93** recites limitation: "having substantially n rows". The meaning of "substantially n row" is unclear and renders the claim indefinite.
- **Claims 99, 102** recite the limitation "The method of claim 97" in line 1. There is insufficient antecedent basis for this limitation in the claim. For purpose of examination, the examiner presumes claims 99 and 102 should read: "The method of claim 98...".
- **Claims 100-101** recite the limitation "performing the method of any of Claim 97-98" in line 2. There is insufficient antecedent basis for this limitation in the claim. For purpose of examination, the examiner presumes claims 100-101 should read: "performing the method of claim 98".

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 79-102** are rejected under 35 U.S.C. 102(e) as being anticipated by Duwaer et al. (US 5,959,627 A), hereinafter "**Duwaer**".

As per claim 79, Duwaer teaches a method for managing metadata of content files using an electronic device comprising:

- “obtaining from a persistent metadata database, metadata for the content files” at Col. 3 lines 40-65;
- “displaying on a display of the electronic device, a first column having rows of track names corresponding to n content files, wherein n is an integer” at Fig. 5;
- “displaying on a display of the electronic device, at least one of: a second column having substantially n rows of artist names corresponding to the n rows of track names, a third column having substantially n rows of album names corresponding to the n rows of track names, and a fourth column having substantially n rows of genre names corresponding to the n rows of track names” at Fig. 5.

As per claim 80, Duwaer teaches the method of claim 79, wherein “said persistent database is a relational database” at Col. 5 lines 23-60 and Fig. 7.

As per claim 81, Duwaer teaches the method of claim 79, wherein “said persistent database is a semi-relational database” at Col. 5 lines 23-60 and Fig. 7.

As per claim 82, Duwaer teaches the method of claim 79, wherein “said persistent database is an object-oriented database” at Col. 5 lines 23-60 and Fig. 7.

As per claim 83, Duwaer teaches the method of claim 79, wherein “said persistent database is a relational database” at Col. 5 lines 23-60 and Fig. 7.

As per claim 84, Duwaer teaches the method of claim 79, wherein "said persistent database is a tabular database" at Col. 5 lines 23-60 and Fig. 7.

As per claim 85, Duwaer teaches the method of claim 79, wherein "said persistent database is queryable" at Col. 3 lines 10-25.

As per claim 86, Duwaer teaches the method of claim 79, wherein "said persistent database persists separately from the content files" at Col. 3 lines 40-50.

As per claim 87, Duwaer teaches the method of claim 79, wherein "at least one column of said track names, artist names, album names, and genre names has a blank entry" at Col. 3 lines 10-25 and Fig. 3.

As per claim 88, Duwaer teaches the method of claim 87, wherein "said blank entry is saved as a named entry" at Col. 3 lines 10-25.

As per claim 89, Duwaer teaches the method of claim 79, wherein "said track names correspond to a content file associated with at least one of a genre, artist, and album" at Fig. 5.

As per claim 90, Duwaer teaches the method of claim 89, further comprising: "receiving an indication of a selection of a genre of content files, and wherein the displaying of a column having substantially n rows of track names corresponding to n content file of a genre is performed in response to receiving the indication, the plurality of content files being content files of the selected genre" at Col. 4 lines 10-65 and Figs. 4-5.

As per claim 91, Duwaer teaches the method of claim 89, wherein the method comprises: "receiving a new metadata value for a metafield of a metadata record

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corresponding to a display track name, and in response to receiving the new metadata value, propagating the new metadata value to the corresponding metafield of each corresponding metadata record for the content files of the selected genre”

As per claim 92, Duwaer teaches the method of claim 89, wherein the method further comprises “receiving a selection of one of the displayed track names, and in response to receiving the selection, rendering the content file corresponding to the selected display track name” at

As per claim 93, Duwaer teaches the method of claim 89, wherein “the display of said second column of substantially n rows of artist names or said third column of substantially n row of album names, is simultaneous with the display of said first column having n rows of track names corresponding to n content files of a genre” at Fig. 5.

As per claim 94, Duwaer teaches the method of claim 79, further comprising “storing said persistent database on a computer readable medium” at Col. 3 lines 40-50.

As per claim 95, Duwaer teaches the method of claim 79, further comprising: “obtaining an indication from an input device to change at least one meta data value in said persistent database and automatically storing said indicated change in said persistent database” at Fig. 3.

As per claim 96-102 recite similar limitations as in claims 79-95 and therefore are rejected by the same reasons.

Response to Arguments

7. Applicant's arguments filed May 1, 2006 have been fully considered but they are not persuasive. The examiner respectfully traverses applicant's arguments.

In response to Applicants' argument that "Duwaer fails to teach each and every enumerated element of new claims 79-100", the examiner respectfully submits that Duwaer teaches each and every element of claims 79-102, as discussed detail in section 6 above. The 102 rejection is therefore maintained in this Office Action.

Conclusion

8. The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is (571) 272-3574 for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-4116. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

June 8, 2006

Khanh B. Pham
Examiner
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A handwritten signature in cursive script, appearing to read 'Kpham', with a horizontal line underneath.